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In history I doubt if any political scientist or historian would say that the legislative branch of Government was predominant. Certainly the executive, since the early 1930's, has become stronger and stronger and has become a more predominant branch of our Government. In more recent years our Supreme Court and the judicial branch of Government has become stronger and stronger and in some instances, in my opinion, has entered into the legislative field.

The question before us really involves the power of the Congress, our power as an equal coordinate branch of the Government. We, the Congress, should be jealous of our constitutional prerogatives. We should guard with every effort we can put forth the rights we have as legislators.

I have no objection, nor does anyone of whom I know on the minority side, to the extension of this act. We feel that under the circumstances it has been a constitutional delegation to the President. But we do feel there should be periodic reexaminations of the use of this power of reorganization.

I understand, from the gentleman from California, that an amendment will be offered at the close of the debate in the Committee of the Whole to extend the act, rather than permanently, for a period of 3½ years.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from California.

Mr. HOLIFIELD. Does the gentleman not believe that this is a reasonable compromise between those who feel that 2 years should be the time limit and those who believe the act should be extended on a permanent basis?

Mr. ERLENBORN. I do not, for two reasons.

First is the fact that it would bind a future Congress, if we made the extension more than 2 years. Second, I believe a fatal error in picking this particular time—I believe it is really 3 years and 7 months—is that it would make the act expire on December 31, 1968. I believe that using this particular period of time, which the other body has and which the gentleman proposes in his amendment, would almost guarantee that the power would lapse, because it would lapse at a period of time when Congress would not be in session. The next session would begin in January of 1969. Therefore, the power would lapse, and it would take some period of months for Congress to extend the power.

Mr. HOLIFIELD. If the gentleman will yield further, I will say it is customary to extend acts some time before the expiration dates. There would be nothing to prevent our committee, which is a diligent committee, from extending the time prior to the expiration of the act.

Mr. ERLENBORN. I would say to the gentleman I understand from a reading of the hearings in the other body the purpose of the extension for this period

of time was to make it coextensive with the term of the President, so when a new President came into office the new President could reexamine this power. I submit to the gentleman if the extension occurs in 1968, before the expiration of this time, the Congress will not know who the new President is. So this argument is no longer valid.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield to me?

Mr. ERLENBORN. Yes. I yield to the gentleman from Illinois.

Mr. RUMSFELD. I want to commend and congratulate the gentleman from Illinois for this very fine presentation and analysis of this rather complex question. I certainly concur in much of what he has said. I quite agree with him that while the proposed 3½-year extension is a considerable improvement over a permanent extension, the 2-year extension, which he was discussing and which was discussed in great detail in the minority views, is certainly preferable. Again let me acknowledge the very thoughtful contribution which has been made by the gentleman from Illinois.

## A Policy for Vietnam

### EXTENSION OF REMARKS OF

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1965

Mr. COHELAN. Mr. Speaker, in a special statement to the House of Commons, reported by Karl Meyer in this morning's Washington Post, British Foreign Secretary Michael Stewart has clearly outlined a reasoned and reasonable path to peace in Vietnam.

Mr. Stewart has suggested:

First, a conference under whatever auspices can be agreed—a ceasefire could either precede such a conference or be achieved at the conference.

Next, a settlement which assures South Vietnam against any form of aggression. Once so assured, South Vietnam would be a country in which there would be no foreign troops or bases and which was tied to no military alliance.

And third:

The future relationship between North and South Vietnam should be a matter for free decision of the peoples of both countries.

Mr. Stewart stated to the House of Commons that the barrier to peace in Vietnam is the "refusal of the Governments of North Vietnam, China, and the Soviet Union to negotiate at all."

He also made clear that his proposals had not been specifically agreed upon with the United States, but as Karl Meyer points out, they are in accord with stated American policy.

Mr. Speaker, it is clear that negotiations and a diplomatic settlement are essential if peace and independence are

to be secured in South Vietnam. Foreign Secretary Stewart has outlined a meaningful path to that objective. Despite the intransigence evidenced to date by our adversaries, we must pursue this course with diligence and with vigor if a better alternative to war and aggression and uncertainty is ever to be offered the people of South Vietnam.

I include the article of Karl Meyer for our colleagues' information and attention:

BRITISH OFFER VIETNAM PLAN, SCORE RED REFUSALS TO TALK

(By Karl E. Meyer)

LONDON, June 3.—British Foreign Secretary Michael Stewart said today that the barrier to peace in Vietnam is the "refusal of the Governments of North Vietnam, China and the Soviet Union to negotiate at all."

In a special statement to the House of Commons, Stewart set forth more explicitly than before those steps his government would like to see taken to a conference table.

"There is no reason, in common sense or humanity," Stewart said, "why the following sequence of events should not occur:

"First, a conference under whatever auspices can be agreed—a cease-fire could either precede such a conference or be achieved at the conference.

"Next, a settlement which assures South Vietnam against any form of aggression. Once so assured, South Vietnam would be a country in which there were no foreign troops or bases and which was tied to no military alliance.

"The future relationship between North and South Vietnam should be a matter for free decision of the peoples of both countries."

As Stewart spoke, the Foreign Office released a white paper describing recent British efforts to call a Geneva conference at which Vietnam could be discussed.

As related in the 24-page white paper, the recent effort grew out of a Communist-supported proposal last March 9 for a new Geneva conference to provide guarantees for Cambodia's neutrality and territorial integrity.

The British were co-chairmen with the Russians in the 1954 Geneva conference that ended the French war in Indochina. On April 26, the British asked the Soviet Government to join in calling a new conference that would discuss Cambodia but could also take up the Vietnam war.

Stewart told commons that he had on several occasions proposed to Soviet Foreign Secretary Gromyko that a new conference be called, "but he has so far refused."

"I now say," he went on, "that I am ready at any time to join with him in this purpose."

Observers here saw three levels of meaning in Stewart's statement to an overflowing House. First and most obvious was the British desire to put the blame on the Communist powers for refusal to negotiate over Vietnam.

Yet Stewart was also speaking directly to members of his own party who are critical of Britain's unwavering support for the United States in Vietnam. At least 50 leftwing backbench members of the Labor Party are wholly opposed to this policy, and many more express private misgivings.

At the third level, the Stewart statement came amid growing restiveness over that many Britons feel is inadequate consultation with the American Government on Vietnam.

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Stewart said in reply to questions that his statement was not an agreed one with the United States, though every item in it was in accord with stated American policy.

## The Ave Maria After 100 Years

### EXTENSION OF REMARKS OF

### HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1965

Mr. BRADEMAS. Mr. Speaker, this week marks the 100th year of weekly publication of an outstanding journal, the Ave Maria, which is published by the congregation of Holy Cross at Notre Dame, Ind.

The Ave Maria, although written by Roman Catholic clergy and laymen and designed as a challenging journal for members of the Catholic faith, provides for persons of every faith perceptive and thoughtful analyses of important issues in American life.

The journal was established in the spring of 1865 by the founder of the University of Notre Dame, Father Edward Sorin, C.S.C.

The present editor of the Ave Maria is a distinguished and dedicated priest, the Reverend John Reedy, C.S.C.

I am pleased to call to the attention of my colleagues this important date in the life of this outstanding publication, and I ask unanimous consent to include at this point in the Record the text of an article by another distinguished priest and educator at the University of Notre Dame, the Reverend Thomas T. McAvoy, C.S.C., entitled, "The Ave Maria After 100 Years."

The text of the article follows:

THE AVE MARIA AFTER 100 YEARS

(By Rev. Thomas T. McAvoy, C.S.C.)

The mood of so many Catholic writers of the past 2 years has been a kind of fear to look back as if opening the window of the church to let in fresh air means closing the door on the past. The affection expressed by the Western World for Pope John XXIII, and the admiration for the openness of the Second Vatican Council are in such marked contrast to the attitude of the Western World toward Pius IX and the Roman Church of 1865 that one almost hesitates to look back. But such an attitude toward our history is not only crass pragmatism, it is stupid. Perhaps the great-grandparents of the youngsters who now crowd American colleges and haunt our radio and television programs were illiterate, plodding peasants in Ireland, Germany, France, or Italy, but had they present-day opportunities their strong faith and physical stamina would outstrip 20th-century youth. But that is not the only reason why we contemplate the past. Generally, one cannot understand the better things of today unless he compares them with what went before.

When Father Edward Sorin, C.S.C., the founder of the University of Notre Dame, established the Ave Maria in the spring of 1865, he was creating something new for the United States—a devotional periodical. He was planning how he could bring to the pioneer country of the Middle West the bene-

fits of Christian civilization, and an important agency for that was a Christian family magazine. In 1865 Father Sorin was 51 years old, a swarthy, well-built man with dark shining eyes, whose quick speech was still touched with a French accent. He was creating a college on the plains of northern Indiana with little more than willpower and daring. The college had survived the Civil War, despite the fact that eight priests had been spared by the small community to serve as chaplains in the Army. Two of them had died in the service and there were other trials during the war years. But the war was nearly over and new hopes were rising. Father Sorin planned to share in the prosperity of the Northern States and to increase the number of students, already numbering 345 in a variety of departments and schools. Besides the traditional bachelor of arts, Notre Dame offered for the first time a bachelor's degree in science.

The starting of the Ave Maria was part of this new world. In the very first month of the Ave Maria, lumber and stone were being stacked around the college building because at the end of the summer the 4-story hammer-shaped building would become 6 stories, topped with a dome and eventually crowned by a statue of Father Sorin's patroness, Our Lady of the Immaculate Conception. The Ave Maria was to share in the dedication of the enlarged building in 1866. At the dedication prizes were offered for the best essays and poems on Our Lady, which were to be printed in the magazine.

The spirit of Father Sorin in his prosperity and his ambition, while Catholic, were truly American, in contrast to much of the leadership of the church in Europe which was cringing and shaking from the tremendous blows of European rationalism as it forcefully drove the church out of her churches and out of her schools. The conditions of the church in Western Europe explains why Pope Pius IX, the previous December 8, issued his encyclical "Quanta Cura" and the "Syllabus of Errors." The vehemence of that document must be understood as the words of a Pope fighting for his life and for the life of his church in one of the darkest hours of the church in Europe. The papal syllabus rejected article 77: "In the present day, it is no longer expedient that the Catholic religion shall be held as the only religion of the state, to the exclusion of all other modes of worship," and article 80, "The Roman Pontiff can, and ought, to reconcile himself to, and agree with progress, liberalism, and civilization as lately introduced."

Archbishop Martin John Spalding of Baltimore, the leader of American Catholicism, included the Pope's encyclical in his own pastoral letter of February 8, 1865, and explained to American Catholics that the strictures of the papal message were not aimed at American liberty, secured under our "noble Constitution in regard to the liberty of conscience, of worship, and of the press." Archbishop Spalding drew the contrast between the shrinking church of Western Europe and the expanding church in the United States. Quoting the first amendment of the Constitution, he said the Founding Fathers who had composed that law did not intend "to pronounce all religions, whether true or false, equal before God, but only to declare them equal before the law" and added that under the circumstances they could have adopted no other course.

Father Sorin, like his friend Archbishop Spalding, appreciated the difference between the persecution of the church in Europe and the liberty of the church in the United States and intended to take full advantage of the glowing future of the new country.

Notre Dame, in 1865, was in the middle of the country, but not in the center of Amer-

ican catholicism. Most of the prosperous Catholic America lay south of the Mason-Dixon line before the Civil War, and because the chief Catholic centers were in the border States of Maryland, Kentucky, and Missouri, the church suffered with the South, not only from the devastations of war, but also from the upset economy of the Southern States resulting from the destruction of the country by war. Nor were there many Catholics with the financial means to profit by the industrial expansion of the North in the decades after the war. Numerically, the Catholics were a northern church with her concentrations in the cities and mill towns of Massachusetts, Pennsylvania, and New York, but these, mostly Irish immigrants, had not yet recovered from their flight from poverty and disease during the famine panics less than a generation before. These were to rise, too, but slowly and chiefly by political organization and power.

Considering these facts one can understand why several of the bishops whom Father Sorin consulted about starting the Ave Maria told him that his prospects of success were nil. He admitted to Father Neal Gillespie, C.S.C., his successor as editor, that he began in fear: "I may be deceived, disappointed, laughed to scorn \* \* \*." He intended the Ave Maria as something new. There had been Catholic literary reviews before, although they had not lived long, and in April 1865, the Catholic World, "a monthly eclectic magazine of general literature and science" had been founded, but it consisted almost entirely of reprints and translations from Europe.

Father Sorin called the Ave Maria a "family newspaper in which we intend to speak exclusively of our own family affairs." There were in it some translations from European periodicals, but the heart of the magazine was original, prepared in part by Father Sorin but more often by Mother Angela, C.S.C., the foundress of the modern St. Mary's, and her brother, Father Neal Gillespie. Soon there was a page for children and a column of news of happenings in the Catholic Church. There were short stories and full-length fiction from the few Catholic writers of the day.

Father Sorin sought contributions from the chief Catholic thinker of the day, Orestes A. Brownson. This convert from free-thought, Protestantism, and Comtism did not have an easy life in Catholicism. His efforts to reconcile Catholicism with the American way of life had brought him the disfavor of both the Irish Catholic immigrant and the native American Protestant. In 1864 he had stopped printing his Review because he no longer had enough supporters to pay the cost of printing. The fact that Father Sorin had sought his advice on starting a magazine as early as 1854 and had visited "the Great Reviewer" in his home in the interim indicate the ambitious plans of Father Sorin. Later, when Father Sorin questioned some phrases in one of Brownson's essays to the Ave Maria, Brownson said he would no longer contribute, but Mother Angela was able to bring peace between these two strong spirits.

ARCHBISHOP PURCELL

Mother Angela had to play the peacemaker between Father Sorin and another strong mind, the Archbishop John Baptist Purcell of Cincinnati. Archbishop Purcell and Father Sorin were on the same side of most arguments, but the archbishop did not foresee the value of the Ave Maria, possibly because he thought it would compete with his own Catholic Telegraph, edited by Father Edward Purcell in Cincinnati; but when teased about his silence by Mother Angela he gave in after a few issues and wrote a letter of approval. Perhaps the archbishop also saw that Father Sorin's proposed "newspaper" was going to

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Peter Crotty's fame and reputation are nationwide. Here in Washington he is acknowledged in the highest circles as one of the most astute politicians in the United States.

With his wonderful Irish wit and charm, Peter Crotty will long be remembered as one of the most engaging politicians of this generation of Americans.

Bob Williams, staff writer for the Buffalo Evening News, recently wrote an article on Joseph F. Crangle. The article appears as follows:

**POLITICS, HARD WORK IN CRANGLE'S BLOOD SINCE SCHOOL DAYS**  
(By Bob Williams)

"The one constant thing in life," said Joseph F. Crangle, "is change."

With those words, the new chairman of Erie County Democrats explained his party's philosophy and his own rise to power as its leader.

Mr. Crangle, a 33-year-old practicing attorney who has never run for public office, took over the duties of Democratic chairman Tuesday shortly after the resignation of Peter J. Crotty, the controversial and powerful leader of Democrats here for the last 11 years.

Despite his youthful age and even more youthful appearance—he looks more like 26 than 33—Mr. Crangle tackles his new job with experience and finesse, both learned at the master's knee.

**PRESIDENT OF EIGHTH GRADE CLASS**

He has been Mr. Crotty's executive assistant for the last 5 years and worked closely with him even earlier.

In a statement Tuesday, Mr. Crotty said Mr. Crangle is a fine organizer. He's probably right.

As an eighth-grade pupil in Holy Spirit School, young Joe Crangle swung a class election for himself as president. Not only that, but he took along his twin sister, Betty Ann (now a nun), as vice president.

That may have been the factor that made him decide at an early age to get into politics.

At any rate, he became president of the student council in Canisius College—somehow skipping the political field in 4 years at Bishop Timon High School, from which he was graduated in 1950.

**JUNE IMPORTANT MONTH**

His organizational ability became apparent when, as head of the Canisius Student Council, he reorganized the method of choosing its officers.

Since only a few students were interested in holding office, he reasoned, why not set up half a dozen groups, each of which could choose an outstanding member as a candidate?

His plan was put into effect during his tenure.

A native of Buffalo, Mr. Crangle is married to the former Rita J. Henry. They live at 22 Linden Avenue in a four-bedroom two-story white frame house they bought 3 years ago this month.

June, as a matter of fact, has been an important month in Joe Crangle's life.

**SERVED IN ARMY**

He was born June 12, 1932, and the Democratic chairmanship—which may well lead to even bigger things in his career—came to him just 11 days before his 33d birthday anniversary.

And, of course, he was graduated from Holy Spirit, Bishop Timon, Canisius College, and the University of Buffalo Law School, traditionally, in June.

A practicing attorney since 1960, Mr. Crangle is associated with Attorneys Lester H. Block, Anthony J. Colucci, and Daniel J. Callanan, in the firm of Block, Colucci, Callanan & Crangle.

Commissioned a second lieutenant after finishing an ROTC course at Canisius, Mr. Crangle served 6 months in the Army on active duty at Fort Benning, Ga.

**INTRODUCED TRUMAN**

He holds the rank of captain in the U.S. Army Reserve and is assigned to the 390th Regiment.

While in school, Mr. Crangle was elected to several extracurricular offices:

Diocesan president of the Catholic Youth Organization; president of the National Council of Catholic Youth; charter member of Alpha Sigma Nu (Jesuit national honor society); DiGamma Honor Society of Canisius College.

He was president of the Canisius Alumni Association in 1955-57.

He once introduced former President Truman at a CYO meeting in St. Louis.

"One ex-president introducing another," said Joe Crangle. He was then finishing his own term.

**ALWAYS WILLING TO WORK**

The new Democratic boss learned long ago that contacts are helpful to a successful project. His sister, Maureen, went to St. James School with a pretty girl he remembered later on. He married the girl.

Politically, Joe Crangle is grass roots.

His first contacts with Democratic headquarters here several years ago put him to work at such volunteer tasks as mailing literature, checking voter lists, ringing doorbells and, if the occasion called for it, sweeping the floor.

He was around headquarters more than most other volunteers, and that's how he came to the attention of Mr. Crotty.

Mr. Crangle became a committeeman in the 1st district, 16th ward; director and charter member of the University District Democratic Club; member of the Democratic Lawyers Club, and Democratic chairman of the 16th ward—a post he probably will resign.

**HAS FOUR DAUGHTERS**

He belongs to the Knights of Columbus, Council 184; Reserve Officers Association; Erie County and New York State Bar Associations.

In the Crangle home, where he'll spend less time in the future, are four daughters, Mary Elizabeth, 5; Catherine Ann, 3; Elizabeth Ann, 2; Bridget Marie, 1.

Mr. Crangle's father was the late Edward J. Crangle. His mother, Mrs. Marguerite A. Crangle, lives with two daughters at 331 East Amherst Street.

The chairman has three brothers, John J., Edward C., and Navy Air Corps Comdr. Eugene V. Crangle; three sisters, Miss Margaret Mary Crangle; Sister Mary Denise, OSF, in Rome, Italy; Miss Maureen Crangle.

**CONFIDENT OF VICTORY**

With three meetings scheduled Tuesday night, Mr. Crangle took the opportunity during a short breather following luncheon with a few close friends to expound upon politics in general and Erie County politics in particular.

"The party," he said, "is not afraid of new faces, new people and new ideas. My selection as chairman exemplifies this vital characteristic."

And, naturally, he had a few words to say about the coming election. They offer no solace to Republicans.

"At the next election," he prophesied, "every elective office can be won by a Democrat."

A confident young man, Joseph F. Crangle.

**LAWMAKERS GIVE CRANGLE SUPPORT**

ALBANY, June 2.—Erie County's Democratic legislators have assured the new county Democratic chairman Joseph F. Crangle "of our fullest cooperation in the coming primaries and elections."

The seven assemblymen and three senators expressed their best wishes to retiring Chairman Peter J. Crotty, as well as their "gratitude for a great job of leadership."

**United States Is Using More Than Guns in Vietnam War**

**EXTENSION OF REMARKS**

OF

**HON. JOHN E. MOSS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1965

Mr. MOSS. Mr. Speaker, in an editorial on May 25, 1965, the Sacramento (Calif.) Bee calls to the attention of the public the significant assistance the United States is providing in South Vietnam other than military. The editorial rightly points out that the United States is also fighting communism by attacking disease, poverty and privation, and by creating educational and medical opportunities which never existed in South Vietnam.

The editorial follows:

**UNITED STATES IS USING MORE THAN GUNS IN VIETNAM WAR**

President Lyndon B. Johnson has disclosed the United States is doing more than moving up guns to stem communism in South Vietnam. It is fighting communism, as well, by attacking disease, poverty and privation, and by creating educational and medical opportunities which never existed in the peasant provinces.

In his recent talk to the Nation about American policy in Vietnam, the President termed this assault as the "most important battle of them all." And it is. Communism can be stayed with guns; it can be defeated, however, only by creating the abundant life and eliminating reasons for a people to adopt such an extreme.

The President put it well when he said:

"A nation cannot be built by armed power or by political agreement. It will rest on the expectation by individual men and women that their future will be better than their past."

The American outlay in South Vietnam has been abundant. In the 11 years this Government has spent more than \$2 billion for assistance. The result: Rice production has doubled; for the first time, modern agricultural methods are being introduced, albeit slowly, to that land where ancient methods have prevailed.

The United States has constructed more than 4,000 classrooms in the last 2 years alone. It intends to build thousands more in the next year. As a measure of the expanding interest in education, schools had an enrollment of but 300,000 in 1955 and today,

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in the midst of deadly war, enrollment is 1.5 million.

In a direct assault against epidemics and plagues, the United States, moreover, has introduced public health programs. It has helped, for example, to vaccinate more than 7 million persons against cholera which strikes with all too monotonous regularity, and has assisted in the creation of 12,000 hamlet medical assistance stations.

These are positive programs. In the end, they could win more favor for the American effort than guns and planes and tanks, as important as these are to the immediate containment effort.

## Further Amending the Reorganization Act of 1949

### SPEECH

OF

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1965

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4823) further amending the Reorganization Act of 1949.

Mr. ERLBORN. Mr. Chairman, at the outset let me state that the question before us is not a question of partisan, political nature. The real question before us is the basic question of the separation of powers; the constitutional creation of a government composed of three equal and coordinate branches of government.

The history of the reorganization legislation and the Presidential requests for plans for reorganization, I think, are interesting in the context of this debate. The reorganization procedure goes back to approximately 1932. I might state that the original plan or the original enactment of reorganization powers in the executive did have the feature of granting this power on a permanent basis, so that there is some legislative precedent for the bill now before us for a permanent granting of this power to the President. However, it is also interesting to note that the Congress did not wait long to remedy what it considered to be the mistake of granting this on a permanent basis. Within 7 months, after the original reorganization plans were granted they took away the feature of permanency and made the limitation 2 years.

From time to time subsequent to the original enactment reorganization powers were granted, but always on a basis of having the short termination date, usually a period of 2 years. During the war years these powers were extended on an emergency basis without limitation, the only limitation being that the powers would lapse 6 months after the termination of hostilities.

The act that we are now amending is the Reorganization Act of 1949, which is the result of the activities of the Hoover Commission. At the time it was enacted,

the period of time that the powers existed was specified to be 4 years.

Since that time the Congress has extended these powers at 2-year intervals and, as has been mentioned before, on one or two occasions there have been lapse periods of time when these powers were not in force.

It is also interesting to note when I mention this is not a partisan political question, but really a question between the legislative and the executive branch of Government, that three Presidents have requested that this power remain permanent; first, President Truman in 1949, then President Eisenhower in 1953, and now President Johnson in 1965.

In addition, former President Hoover recommended that these powers be made permanent. However, the Congress has been jealous of its legislative prerogative and as yet has not seen fit to grant these powers on a permanent basis.

Let us also understand that the Reorganization Act does grant legislative authority to the Executive and there have been some fine constitutional questions raised as to the power of the Congress to do so. Let me state that in my opinion, this is, and there is no question but what it is, a grant of legislative powers to the Executive. However, there can be such a grant without it being an unconstitutional grant, and I believe the reorganization powers that have been granted to the President is a constitutional grant of the legislative powers because the act itself sets the guidelines under which the President can act.

This question has not per se been decided by the Supreme Court though some related cases have been.

In effect, we are, under the reorganization procedure, reversing the legislative process. The President is given the power to promulgate legislation. The President in doing so prepares a plan of reorganization within the limits of the law, that is the Reorganization Act, and submits this to the Congress. Under this procedure, the Congress is given the ordinary executive power of veto because this is the only power that we can exercise in the reorganization procedure.

Once the Executive has filed the reorganization plan, Congress has the power of veto for a 60-day calendar period which it can exercise or not as it sees fit. We do not have the other ordinary legislative powers, the power to amend and so forth.

Some have asked, since the power to veto has been made more liberal as the years have gone by, why is it not now possible to extend the reorganization powers on a permanent basis? I think we should recall that over the years the veto process has been changed considerably. At one time to override a presidential reorganization plan required a constitutional majority of both Houses acting together in concert. Later it was made within the power of one House acting with a constitutional majority to veto a reorganization plan and most recently, and under the present law, either House

of Congress, acting alone with a simple majority of those voting, can override or veto a reorganization plan.

But I point out to you that these substantive changes in the law have been tied to extensions of the power. If this power was made permanent in the President, it would then be very easy for the President to veto bills that contained such substantive changes. So that the periodic extension of the powers of this act gives the opportunity then to tie in one legislative enactment substantive changes that Congress deems necessary together with the extension, thereby giving the President a choice either of vetoing the bill and destroying his power, because the extension had not been signed into law, or of signing the bill into law which gives the extension power and also because Congress changes any substantive portion of the act that Congress may from time to time deem necessary.

It is not only that question that concerns us, the question of the method of overriding the plan or vetoing the plan. There are other substantive changes that have been necessary from time to time and the most recent and outstanding was the amendment that was adopted just last year by the Congress.

You may recall that President Kennedy submitted a plan for reorganization which incorporated the creation of a new executive department. This was the Department of Urban Affairs. At that time Congress balked and said it was never the intention of the Congress to grant to the Executive power either to abolish or create new departments. The power of the President under the Reorganization Act lapsed as a result of this dispute.

Congress in its wisdom last year, in extending the plan, also amended the Reorganization Act to specifically prohibit the creation or abolition of departments.

I believe it has been shown that the periodic extension gives to Congress power to make substantive changes in the act which are necessary.

Another objection to extending the act for a long period of time is the fact that within the act itself are specified rules which apply to the procedure for overriding or disapproving plans.

It is historically true that we adopt our rules on a 2-year basis. We do not adopt permanent rules in the House. Every 2 years the new Congress has an opportunity to reexamine the rules and to change the rules.

In effect, if we should extend this act without limitation, or extend it beyond the 2-year period, we would be adopting rules for a period beyond this Congress and binding future Congresses.

I believe it goes without saying that over the years there has been constant interaction among the three coordinate branches of Government—the judicial, executive, and legislative. At one time one was predominant and at another time another was predominant. I am sorry to say that at the present period



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law them. President Johnson's action would legalize union shop contracts in the 19 States that now forbid them.

The closed shop, requiring union membership before a man is hired, is banned in all States under Federal law. National labor legislation permits the union shop which requires a worker to join the union after he has been hired, usually within 30 days.

President Johnson, in calling for repeal of section 14(b), said he did so "with the hope of reducing conflicts in our national labor policy that for several years have divided Americans in various States."

#### CITIZENS VERSUS BIG LABOR

We think it will be a sad day for South Dakota and America if the mighty U.S. Government goes all the way in its aid to big labor and tells our citizens they must join a union if they are to hold a job.

Repeal of section 14(b) will not unify Americans on this issue. The provision in the Taft-Hartley Act was passed to protect the American worker from union bosses. What are they afraid of, may we ask? Why do they have to have compulsory membership, and with it, the dues of every worker in a plant, or in a business? Where are the guarantees that a worker's dues will be used for a union, and not political purposes?

South Dakota workers have a vital civil right today, guaranteed by their constitution. If President Johnson is successful in his plea to repeal the law, the workers lose that right. Union bosses would win one more round in their quest for domination of the Nation's political and economic life.

Nineteen States would see further diminution of their power in favor of Federal regulatory agencies.

Another State where workers will lose this civil right is President Johnson's home State of Texas. As a Member of the House when the Taft-Hartley Act was passed April 17, 1947, Johnson voted for passage. There was no separate vote then on section 14(b); it was one of the key features of the act.

On June 20, 1947, Johnson voted to override President Harry S. Truman's veto. Johnson was in the Senate when that body voted down an attempt to strip section 14(b) from the law. That was June 30, 1949. Johnson voted with the majority to retain section 14(b). Now he wants to repeal it.

#### A POLITICAL APPEAL

We think President Johnson's call for repeal of the right-to-work section is strictly political, to make good on a 1964 campaign promise to big labor. Congress should turn it down—vote the way Johnson himself voted when he was a legislator.

We hope South Dakota's four Members of Congress will consider citizens' rights ahead of convenience and power for big labor and big government.

### The President Makes a Point

#### EXTENSION OF REMARKS

OF

### HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

MR. ROGERS OF Florida. Mr. Speaker, newspapers across the country have indicated their support for President Johnson's policies in Vietnam and the Caribbean.

Florida newspapers have been particularly favorable. The Tampa Times has supported U.S. policy in an editorial tak-

ing particular note that the Communists can tear down but cannot build.

Too deep a devotion to ideology has handicapped Russian industry and agriculture; it has forced Peiping to deliver words instead of rice to its hungry masses; it has sent both Russia and Red China into the world market for wheat and feed grains, seeking from the capitalist surplus food to make up for the Communist deficit.

#### The Times reports.

Under unanimous consent, I include the editorial in full at this point in the RECORD:

[From the Tampa (Fla.) Times, May 14, 1965]

#### THE PRESIDENT MAKES A POINT

President Johnson revealed a little told side of the South Vietnam story yesterday in a radio-television address from the White House. Most of the news coming from that battle-torn southeast Asian state has to do with war and fighting, death and suffering. Most news accounts present a picture of a country barely holding its own in a struggle against the Communist Vietcong. But the President produced facts and figures which demonstrate that despite the constant pressure from Red forces, South Vietnam has registered important gains in areas such as health, agriculture, and education.

American technical aid is daily opening new doors to a better way of life for the Vietnamese people—and it is no wonder that the Communists fear this example and are doing all in their power to retard its progress. If South Vietnam should emerge as a showcase for democracy, a land of plenty next to the hungry Communist-controlled areas, Mao Tse-tung would be hard pressed to keep his millions from revolting. They, too, would develop an appetite for the fruits of freedom.

Our investment in South Vietnam has been a large one. But it also will have been a wise one if it turns the tide against communism in this area. Since 1954, said Mr. Johnson, the United States has poured more than \$2 billion into the little country. What has it bought?

The President put it this way:

Rice production has been doubled.

A new variety of sweet potato, promising a sixfold increase in yield, is being planted this year.

Corn output should rise from 25,000 tons in 1962 to 100,000 tons by 1966.

Pig production has more than doubled since 1955.

In other areas of assistance:

A medical school is being built with American aid in a country which has only 200 civilian doctors to serve a population of 16 million.

Seven million people have been vaccinated against cholera and U.S. assistance has constructed and stocked more than 12,000 hamlet health stations.

Americans have help build more than 4,000 classrooms in the last 2 years and by 1967 more than 15 million textbooks will have been supplied to Vietnamese children.

The Communists have demonstrated their fear of these programs by destroying agricultural stations, burning medical centers, murdering Vietnamese malaria fighters and capturing or killing U.S. aid officials.

Nowhere in the world can the Communists match the constructive efforts of the United States. In Cuba where Moscow and Peiping might have established a Communist showcase, there are critical shortages, a comedy of mismanagement in industry and agriculture and an educational program which de-ludes the young into believing there are solutions in slogans.

The Reds can tear down but they cannot build. Too deep a devotion to ideology has

handicapped Russian industry and agriculture; it has forced Peiping to deliver words instead of rice to its hungry masses; it has sent both Russia and Red China into the world market for wheat and feed grains, seeking from the capitalist surplus food to make up for the Communist deficit.

Here, then, is another reason we cannot "cut and run" from South Vietnam as some U.S. "liberals" demand. To desert these peoples and these gains and all the hope embodied in accomplishments to date would brand us as utter cowards and destroy forever all confidence in our courage of conviction and strength of determination.

Here we must stand; and here we must fight.

More important, here we must win and win decisively.

There are no other choices.

### An Address by Associate Justice Arthur J. Goldberg, of the U.S. Supreme Court, on the Social Responsibility of the Churches, May 24, 1965, All Souls' Church, Unitarian, Washington, D.C.

#### EXTENSION OF REMARKS

OF

### HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 28, 1965

Mr. BRADEMAS. Mr. Speaker, under unanimous consent, I insert in the RECORD the text of an eloquent address by the distinguished Associate Justice of the U.S. Supreme Court, Arthur J. Goldberg, concerning the social responsibility of the churches and synagogues of our country.

Mr. Justice Goldberg spoke as a pulpit guest at the All Souls' Church, Unitarian, in Washington, D.C., on May 24, 1965.

The text of his address follows:

REMARKS BY HON. ARTHUR J. GOLDBERG, ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES, ALL SOULS' CHURCH, 16TH AND HARVARD STREETS, WASHINGTON, D.C., MAY 23, 1965

In 1949, William Faulkner brought honor to himself and to the United States when he was awarded the Nobel Prize for literature. In his acceptance speech, he stated a conviction that I share, and that motivates men of good will the world over.

"I decline," he said, "to accept the end of man. It is easy enough to say that man is immortal simply because he will endure. . . . I refuse to accept this. I believe that man will not merely endure; he will prevail."

The triumph of man is uniquely in the keeping of religion—the informing of his spirit, the firing of his conscience, the awakening of his soul to the fact that in observing the spirit of God he is exercising the only true freedom.

But these need not be slogans on banners nor messages on wreaths laid at the feet of monuments to past and meaningless events. They need not be so incarcerated into history as to be beyond the reach of living men.

In one of the great passages of Homer, Ajax, surrounded by darkness and facing his foes, prays for light "that we may see our fate, and die at least, if such they will, in the open light of day." He does not pray for victory; he does not pray to live; he prays

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for light, that he may stand to the full height of a man and we face his fate.

## WE SEEK LIGHT

Today, we also seek light. We also seek it—not to avoid our problems but to face them as true men. We do not seek religion to remove our trials, to transquelize our problems—but for light, for illumination, for the true meaning of moral and ethical imperatives.

Over 63 percent of our population are members of churches. Over 114 million persons of all faiths, testifying to a greater Power, and practicing religion in their own way. Perhaps a great number of them do not realize the stakes in the world, unless the read of the recent suppressions and prosecutions of Jews in the Soviet Union, unless they hear of the closing of Catholic churches behind the Iron Curtain, unless they read of the arrest and convictions of Protestant missionaries.

Religious tolerance has become a touchstone of freedom. Where tolerance is found, there also free men dwell. Religious intolerance has become a touchstone of totalitarianism, as Hitler and Stalin demonstrated.

The history of all churches, through all ages, has demonstrated that religion must recognize its obligations as well as its rights to preach and practice moral values, or fail in its mission. This is the light that illuminates a real democratic political system. Involvement for the churches and synagogues is necessary for society—and for the churches and synagogues themselves if they are to maintain their vitality as living forces in a society whose fate will be decided by the pressing social problems of a modern age.

Socially minded churches and synagogues are guarantees that religion will be an ally, not an enemy, of democracy.

## RELIGION IS FREE TO SPEAK

In our blessed land, religion is free to speak. Our Constitution expressly guarantees that there shall be no law prohibiting or impairing the right of free exercise of religion. Under our Constitution there is a wholesome neutrality by the Government toward all religions; the ideal of our Constitution as to religious freedom is one of absolute equality before the law of all religious opinions and sects; the Government, while protecting all, prefers none, and it disparages none; our constitutional policy does not deny the value or necessity for religious training, teaching, or observance; rather it secures their full exercise without helping or hindering any particular religion. Indeed, the constitutional protections of religious tolerance were designed for a pluralistic society that had seen enough, and knew enough, of the devious influence of censorship of belief in the Old World. While we share the common heritage of our beliefs, we do not give up the right to practice in the light of our own doctrines.

If we are, each of us, members of an ancient unity of belief, then I believe there is one aspect of that unity and heritage which we are bound to implement—together as men and women who share the heritage, and separately as those subscribing to different doctrine.

## TO SEEK JUSTICE

Certainly, at the root of the moral and ethical doctrine of both the Old and the New Testaments is the instruction to seek justice and righteousness, to act as a person of God. All of the great prophets were deeply involved in the society of their time. Christ's Sermon on the Mount brought comfort to the poor and sorrowful. Can we, in good conscience, do otherwise? If religion is a sermon for the individual, a refuge and a shelter, its great traditions have also been stated in the words of its leaders as instruments with which to change the world, to seek justice and righteousness.

Today more than 30 million Americans are living substandard lives; 10 million children are being raised in poverty. There is not enough work, in a generally rich and productive economy, for the unskilled. The numbers of the long-termed unemployed are shockingly large; the tragedy is that among them are millions of young people who enter their adult lives without any experience of the promise of American life.

Many of our citizens are denied solely because of race or color equal protection of the laws; many others are denied the equal justice under law guaranteed by our Constitution to the rich and poor alike. I would make note, also, that in a nation of religious tradition and commitment, our public face is often profane and secular, with serious moral problems apparent in the conduct of our enterprises. We see it in businesses and in labor unions and sometimes we see it in Government also.

Now many of these problems are the proper concern of the political leadership we have entrusted with the conduct of government. Others are the proper concern of the judicial system. In neither of these areas is it appropriate for me to comment. But all of these problems are the proper concern of religion. They are a part of the ancient evils that have burdened man; it is religion's part to confront them.

## THE FAILURE OF RELIGION

The failure of religion to do so is compounded by the fact that here it is free to do so. There is a neutralism between church and state in our country, but there can be no neutralism between our churches and the problems around them. The concept of religious liberty and toleration is a vote of confidence in the ability of religions to lead active, useful, even determinative roles in the making of a better world.

The new heritage of religion, here in the New World, is a return to the old heritage of involvement in the temporal condition as well as the eternal destiny of man. Ministers and rabbis and priests and the laity who stand aloof from the problems that grip individuals today are asking those individuals to stand aloof from religion.

I do not mean to suggest that our faiths have forsaken their proper roles as a matter of course. More and more, the voices of the religions are being heard—in protest and dissent as well as in commendation and counsel. Pope John XXIII's two encyclicals on world social and economic conditions and world peace are monuments of the commitment of his faith to an active role in the troubled world. The National Council of Churches has taken strong and positive positions on poverty and unemployment and discrimination. The leaders of my own faith have been vigorous advocates of equality and respect for human right. Clergymen of all faiths are participating actively in the effort to achieve civil rights for all citizens.

## THE COMMITMENT OF LEADERSHIP

The problem seems to be that the commitment of leadership on the highest levels does not always penetrate to the membership of churches and synagogues—to laymen or, to put it another way, to you and to me. Yet if commitment does not penetrate, it fails to reach our lives.

Bringing religion to bear upon moral and ethical problems means helping this Nation go forward here at home—realizing the just society, defending the rights of all citizens to full citizenship, commending and supporting good legislation, speaking out on important matters, leading in the fields of equality of opportunity for all and an economic chance for every man.

And it means helping this Nation to realize its objective abroad—peace in freedom for all who seek it.

I believe that the fate of free religion in

the world is part and parcel of the fate of our own Nation. The survival and success of our political ideals is crucial to the survival and success of the free religions that flourish within our borders.

## RELIGION AND DEMOCRACY

Not only Judaism and democracy, not only Christianity and democracy, but religion itself and democracy have a mutual interest in this troubled world. When communism comes—whether to a Buddhist or a Moslem or a Hindu or a Christian or any other nation—religion goes.

President Kennedy described the path to freedom as a lonely one. We have no illusions about the difficulty of the road or the perils that lie along it.

But we will make that journey in good spirit. While preserving the separation of church and state in our country, we proudly assert the right of all religious groups, all churches, and synagogues, to preach what is good, and what is more important—if a layman may say so—to practice what is good.

### Erie County Democrats Gain Strength Under Peter Crotty's Leadership—Continued Gains Seen Under Joe Crangle

## EXTENSION OF REMARKS

OF

HON. RICHARD D. MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 28, 1965

Mr. MCCARTHY. Mr. Speaker, with the election of Joseph F. Crangle as Erie County, N.Y., Democratic chairman, I predict a new era of youthful zeal and dedication for the Democratic Party in western New York.

Joe Crangle is my personal friend and neighbor. We went to Canisius College together. He lives three doors from me in Buffalo and I have a great deal of respect and admiration for him. My wife and I are very fond of his beautiful wife and four little girls.

Joe Crangle, as a member of the new breed of political leaders of the John F. Kennedy school, will continue the tradition of seeking out and supporting only the finest type of dedicated candidates for public office.

I am happy to add my name to those who will support Joe Crangle in all measures that will add strength, vigor, and higher purpose to government. He comes to this job with impressive credentials and a willingness to face the issues squarely and intelligently.

I would also like to pay my respects to the man who built up the Democratic Party in Erie County to its majority today—Peter Crotty. A colorful, intellectually stimulating political leader, Peter Crotty led the party through an exciting and turbulent era.

In this very difficult and demanding position as county chairman, he wrote an absorbing chapter in the political history of western New York.

When he took over the reins of the party in 1954, Republicans outregistered the Democrats by more than 50,000. Today Democrats enjoy a 4,700 registered voter margin in Erie County.

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tax while including State-operated sweepstakes along with illegal wagering? I would like to obtain a sound answer to this question. The people of New Hampshire would like to obtain an answer. There does not seem to be any sense of fairness in the application of this law.

Before the New Hampshire sweepstakes was established, perhaps there was a good justification for the preferred treatment accorded legalized gambling. The wagering tax law was enacted in an attempt to regulate and control illegal gambling, and thus no purpose was served by covering wagering operations already licensed and supervised by State authorities. The intent of the law was clear. But its language was not sufficiently broad enough to cover the future New Hampshire sweepstakes.

Thus the State of New Hampshire finds itself classed with illegal gamblers, with criminals, under the operation of the Federal law. The Congress cannot permit this situation to exist any longer.

Mr. President, at this time I would like to formally introduce my amendment to H.R. 8371, on behalf of myself and my senior colleague from New Hampshire, Senator Corron. I send this amendment to the desk and ask that it be printed and referred to the appropriate committee.

Mr. President, I ask unanimous consent that this amendment be printed at this point in the RECORD.

The VICE PRESIDENT. The amendment will be received, printed, and referred to the Committee on Finance; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 234) was referred to the Committee on Finance, as follows:

On page 23, after line 14, insert the following new section:

**"SEC. 211. STATE-CONDUCTED SWEEPSTAKES.**

"(a) Section 4402 (relating to exemptions from the tax on wagers) is amended by striking out 'and' at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting 'or', and by adding at the end thereof the following new paragraph:

"(3) STATE-CONDUCTED SWEEPSTAKES.—On any wager placed in a sweepstakes, wagering pool, or lottery—

"(A) which is conducted by an agency of a State acting under authority of State law, and

"(B) the ultimate winners in which are determined by the results of a horse race, but only if such wager is placed with the State agency conducting such sweepstakes, wagering pool, or lottery, or with its authorized employees or agents."

"(b) The amendment made by subsection (a) shall apply with respect to wagers placed after March 10, 1964."

**ADDITIONAL COSPONSOR OF BILL**

Mr. CLARK. Mr. President, I ask unanimous consent that the name of the Senator from Hawaii [Mr. Fong] be added as a cosponsor of S. 1807, the Correctional Rehabilitation Study Act of 1965, at the next printing of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

**NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY**

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Robert O. Doyle, of Georgia, to be U.S. marshal, middle district of Georgia, for a term of 4 years, vice Gibson Ezell, deceased.

Charles B. Bendlage, Jr., of Iowa, to be U.S. marshal, southern district of Iowa, for a term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, June 11, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

**ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX**

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. RANDOLPH:

Extractions from messages relating to the 19th anniversary of the International Crossroads Sunday morning breakfast, at the Central YMCA, Washington, D.C.

By Mr. MUNDT:

Editorial entitled "Congress Should Vote Like L.B.J. Did—And Keep Citizens' Right To Work," published in the Sioux Falls (S. Dak.) Argus-Leader of May 20, 1965.

**PRESSURE FOR CONTRIBUTIONS BY CIVIL SERVICE EMPLOYEES TO POLITICAL FUNCTIONS**

Mr. MILLER. Mr. President, I have often said that the foundation of our Federal Government is the civil service employee.

Administrations come and go but the orderly process of Government business knows no interruption because of the capable and effective service of the civil service worker.

That is why I am again dismayed to see that efforts are being made to pressure Federal employees into contributing to political functions.

Whether this pressure be "soft" or "hard," it is wrong. Whether this pressure is exerted by either party, it is still a breach of the law and regulations which were established to protect the worker.

The Washington Evening Star has focused its columns on these violations in the past. It did so again on May 28 and June 1.

The highly respected Star writer, Walter Pincus, has drawn public attention to what is going on this year. I quote from his article of May 28:

Machinery to solicit political contributions from Federal employees again has been set in motion by Democratic Party officials given the job of selling \$100 tickets to the 1965

Democratic congressional dinner on June 24 at the National Armory.

In his article, Mr. Pincus quotes one political appointee to this effect:

You have a choice—break the Justice Department's law or Maguire's law.

The Justice Department's law referred to is a section of the Federal Code making it illegal for a Federal employee to directly or indirectly solicit contributions of a political nature.

Maguire's law was a reference to the Democratic Party Treasurer Richard Maguire, the man, according to Mr. Pincus, "credited with setting up the machinery for systematic solicitation within Federal agencies."

I would strongly suggest that there should be no choice. Maguire's law, as the Star put it in an editorial on June 1, "ought to be repealed, fast."

I am hopeful that the Justice Department, the Civil Service Commission, and the Congress will look into these reports.

I am hopeful, but not very optimistic, that the agency heads in whose department these solicitations are taking place, will demand that they stop.

I am hopeful, but not very optimistic, that President Johnson will see to it that they halt.

Mr. President, I ask unanimous consent that the article entitled, "U.S. Workers Targets Again," and the editorial, "Maguire's Law," both from the Evening Star, be printed in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, May 28, 1965]

**MONEY AND POLITICS: U.S. WORKERS TARGETS AGAIN**

(By Walter Pincus)

Machinery to solicit political contributions from Federal employees again has been set in motion by Democratic Party officials given the job of selling \$100 tickets to the 1965 Democratic congressional dinner on June 24 at the National Armory.

The aim this year, through mailings and personal contact, apparently, is get those employees who contributed last year during the presidential campaign to contribute again.

As part of their program, the Democrats again appear to be planning to push ticket sales within Federal departments and agencies—a practice that previously has stirred up criticism from within the civil service.

This year, however, it's the "salesmen" selected to do the pushing who appear disturbed.

"You have a choice—break the Justice Department's law or Maguire's law," one political appointee said Wednesday. He had just been made part of his agency's team to push sales of \$100 tickets to the dinner to a list of his colleagues.

The "Justice Department's law" is a section of the Federal code which makes it illegal for one Federal employee to "directly or indirectly" solicit, receive "or \* \* \* in any manner (be) concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever \* \* \*" from another Federal employee. The penalties: A fine of not more than \$5,000

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or a sentence of not more than 3 years in jail or both.

"Maguire's law" refers to Democratic Party Treasurer Richard Maguire, the man credited with setting up the machinery for systematic solicitation within Federal agencies.

The "inhouse" salesmen, for the most part, are the agency's political appointees whose futures depend in large part on the good will of party officials.

In the past, the Federal law has pretty much been winked at. This year, however, the Justice Department is weighing a Federal Bureau of Investigation report to determine whether several officials of the Rural Electrification Administration violated Federal law in their promotion, last year, of \$100 tickets to the Democratic fundraising gala.

The Civil Service Commission, after a preliminary inquiry into the matter last fall, determined the facts were such to warrant study for prosecution.

Despite the Justice Department inquiry, Democratic Party aids have begun to distribute lists of last year's contributors to Federal agencies to aid in selling this year's dinner tickets.

Officials at both the State and Commerce Departments reportedly not only have received such lists, but have discussed promotion of ticket sales with selected top staff members.

At the State Department, a meeting reportedly took place within the past week and the list of last year's contributors was broken down among a group of eight political appointee "salesmen." Their job was to keep to the "strictly political" jobholders, but to encourage them to again contribute to the party.

Reports that a similar meeting took place at Commerce could not be confirmed.

At one point in the State meeting, a suggestion that solicitation letters be sent to Ambassadors overseas was vetoed.

Complementing the direct solicitation effort is a mailing to lists of contributors over the signature of Party Chairman John M. Bailey inviting the recipient to the dinner and enclosing a pledge card.

The card contains a code number that permits the dinner committee to identify a Government employee's agency and so seat him with his coworkers.

#### MILDER THAN 1964 EFFORT

This year's inhouse solicitation appears to be much milder in its approach than was the effort made last year to sell gala tickets.

At that time, top agency officials scheduled cocktail parties to precede the event and agency salesmen went down their assigned lists asking fellow workers if they were coming to the party.

From the party, buses took those present to the gala where they all sat together—usually with the front row of their section filled with the highest ranking agency officials from the Secretary down.

How much actual pressure is involved in ticket sales? Some civil servants considered the very fact they receive an invitation at home implied pressure.

One agency salesman said the belief that President Johnson was the kind of politician who watched officeholder contributor lists was a form of pressure.

#### NEW ELEMENT NOW

Adds a Democratic National Committee spokesman: "The biggest pressure came from repeated news stories that employees were being threatened as to what would happen if they didn't come through."

This year there appears to be a new element of resentment among the "salesmen." They have a fear that should someone report them—as happened in the REA case—no one, particularly party officials, could come to their defense.

Party officials who hand out contributor lists in no way violate the law. Only the

Federal employee who approaches a colleague faces trouble.

[From the Washington (D.C.) Evening Star, June 1, 1965]

#### MAGUIRE'S LAW

Well, the time for another of the Democrats' \$100-a-plate fundraising dinners is once more drawing near. And once more the party hierarchy in Government offices all over town is revving up the machinery to put the arm on Federal employees for contributions—in clear violation of Federal law.

Thus far, as the Star's Walter Pincus noted the other day, the main complaints are coming from employees recruited to push the congressional dinner ticket sales. Their concern is understandable. For the Federal code is quite specific in making it a crime for any Federal employee "directly or indirectly" to solicit funds from another Federal employee "for any political purpose whatever." And while this is not a new provision, most of the ticket pushers are fully aware that the Justice Department is examining an FBI report on complaints which arose in connection with a similar party gala last year.

The trouble is, as one anonymous political appointee put it, that he and many of his colleagues are placed in a position of breaking either "the Justice Department's law or Maguire's law"—the latter referring to the solicitation plans reportedly set up by Richard Maguire, the Democratic treasurer.

There is no question, of course, about what action is called for here. "Maguire's law" ought to be repealed, fast, and no congressional action is required to do it. Legislation may well be desirable to encourage wider financial support of political candidates and their parties, possibly through tax credits or tax deductions. But in the meantime Federal employees should be protected against the pressures to give which are inevitably present under the sort of solicitation program which is now getting underway.

#### BOMBING OF TARGETS IN NORTH VIETNAM

Mr. MILLER. Mr. President, this morning's Washington Post contains an article entitled "Another Korea?" written by Joseph Alsop. Mr. Alsop criticizes the selection of targets for bombing in North Vietnam. He refers to such targets as being relatively insignificant. He also warns that we have lost the initiative because we have not been hitting some of the important targets.

This practice ought to be brought to the attention of Secretary McNamara and Secretary Rusk, because Mr. Alsop is a knowledgeable individual, one who has spent considerable time in the Far East.

I ask unanimous consent that his article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

#### ANOTHER KOREA?

(By Joseph Alsop)

HONG KONG.—Any attempt to sum up the present dangerous situation in Vietnam must begin with the fact that the initiative has been completely abandoned to the enemy during the entire period since the middle of March.

The President's decision to bomb North Vietnamese targets initially produced very big dividends. The North Vietnamese Government was visibly consternated and thrown off balance. The Vietcong were not merely thrown off balance; according to all indications on the spot, their morale plummeted downward to the low point reported by the French newspaperman, Georges Chaffard.

In the South Vietnamese Government and Army, and among the civil population, morale improved proportionally. Relative governmental stability was consequently achieved. The final defeat that had been uncomfortably close (for South Vietnam was literally cut in half in late January) was decisively prevented.

That left the problem of retaining the initiative that had thus been regained. In South Vietnam, not a great deal could be done immediately. To be sure, certain important actions were taken, like the courageous ground offensive, supported by tremendous airpower, that drove the enemy from his positions along Route 19, from Pleiku to the seacoast. But the South Vietnamese Army lacked the reserves to launch offensives against the enemy main force units in their mountain and jungle redoubts; and the Americans, who were coming in to reconstitute the reserves, were not yet ready for action.

That left the bombing of the north, which should be conceived as a boxer's left hand, reinforcing the work of his right hand. What was needed, of course, was nothing like the area bombing of Hanoi which people who have never set foot in Asia seem to regard as the only alternative to the nibbling attacks we have been making.

But there is all the difference in the world between quietly but sternly increased pressure, and trying to pressure a man by biting him persistently in the toe. Or another way to put it is to say that there is a wide gap between a carefully modulated crescendo and getting permanently stuck on the least important note in the piano keyboard.

Single note-playing is really all that has been happening. The pianists in Washington, measuring distances to Hanoi in quarter inches, reportedly believe they have been playing a crescendo; but they are mistaken.

The targets are trivial. The areas under attack are those of least importance to the Hanoi government. What is now the main supply and invasion route has not even been hit once on North Vietnamese soil, for it runs from North Vietnam, into Samneua Province in Laos, at a point rather far in the north.

What may be the logic of this one-note piano playing is pretty hard to perceive. Countless missions are run, and planes and pilots are lost, on road reconnaissance—on "roadwork" as the Navy pilots scornfully say. But no truck can move on these roads without oil fuel; and the limited petroleum stores are probably the most vulnerable single feature of the North Vietnamese economy. Would not taking out the petroleum stores be cheaper in the end?

There are other such questions. What is beyond question, meanwhile, is the unfortunate political-military effect of the American abandonment of the briefly regained initiative. The apparent proof of iron American resolution, of final American commitment, was responsible for two-thirds of the good effects of President Johnson's February decision in South Vietnam.

But the South Vietnamese, who know their own country, are not to be deceived about the comparative unimportance of the targets being hit and the relative insignificance of the areas being covered. In the south, therefore, what started as proof of American resolution has begun to be regarded as still another proof of American irresolution. A recurrence of political troubles has automatically resulted.

One can assume with confidence that the impression conveyed in the north has been the same as in the south, but with reverse effects. A man who expects severe and mounting pressure, and then experiences nothing much worse than persistent annoyance, is not likely to be thrown off his stride for very long, it must be remembered.

Hence the situation is doubly dangerous. It is dangerous, first, because a mere local catastrophe can conceivably have generalized



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## CONGRESSIONAL RECORD — SENATE

effects this summer because of the slumping mood of the south. And it is dangerous, second, because we are all too likely to end in another Korean-style war, under much less favorable conditions, unless the principle of the boxer's right and left begins to be remembered. That is the most important point of all.

MILITARY SERVICEMEN'S  
COMPENSATION

Mr. MILLER. Mr. President, the Washington Post this morning contains an article entitled "On Soldiers' Pay, Taxable and Other," written by Marquis Childs. Because of the pending proposed legislation relating to an increase in military pay, I believe that Mr. Childs' observations warrant the attention of the readers of the RECORD; therefore, I ask unanimous consent that his article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON SOLDIERS' PAY, TAXABLE AND OTHER  
(By Marquis Childs)

Until a recent Executive order the most glaring inequity in the operation of the Federal income tax law was one that hit comparatively few taxpayers. If you were a serviceman in a jungle foxhole in Vietnam the Federal tax was levied not only on your base pay but on your extra compensation for "duty subject to hostile fire."

This last was a bit of bureaucratic gobbledegook intended to evade the word combat. Protests began to come from Congress about men under fire having their pay subject to Federal taxation. Noting that one of his constituents, Capt. F. R. Kendrick, a helicopter pilot from El Dorado, Ark., had raised a question about this obvious injustice, Senator JOHN MCLELLAN called on the President to exempt men in Vietnam.

The President has that power under a precedent established by Congress at the request of President Truman 6 months after the start of the Korean war in 1950. President Johnson issued an Executive order on April 24 designating Vietnam and the waters within 100 miles of the Vietnamese coast "an area in which Armed Forces of the United States are and have been engaged in combat." The order was made retroactive to January 1, 1964.

This not only righted a conspicuous injustice but it was official recognition—the only one thus far—of the grim reality of what is happening in Vietnam. With nearly 50,000 Americans on the ground in the Vietnamese conflict the fact can no longer be evaded that this is a war albeit an undeclared war.

Now a move is on to make the Dominican Republic a combat zone. Although whether Congress has any authority in this field is questionable, Senator GEORGE SMATHERS had introduced a bill specifying April 28 as the date on which combat began in the Dominican Republic and adjacent waters. Marines and paratroopers in service there would also be exempted. As in Vietnam, this would apply to enlisted personnel. Officers in combat get a \$200 a month deduction.

When set alongside the income scales and spending standards of the affluent society military pay appears niggardly. Granted that you cannot recompense men for patriotism, duty, dedication to service in the Armed Forces, nevertheless compensation should be at least adequate. And the feeling is growing in Congress that even the proposed 5-percent increase in military pay will still leave most grades shortchanged.

The beginning pay of an enlisted man is \$78 a month. This goes to a high for a soldier with 26 years of service of \$573.90. That is base pay. It does not include about 40 percent additional compensation for housing and subsistence, most of which has in peacetime been exempt from income tax.

Combat pay is an across the board addition for all grades of \$55 a month. It was the ruling that this amount, along with regular pay, was subject to Federal taxation that caused the greatest resentment among men daily under fire. Captain Kendricks had said he had no intention of paying tax on "hostile fire" pay.

A 5-percent pay boost will mean very little to enlisted personnel. To a lieutenant general with monthly pay of \$1,614 it is a sizable increase. That is the inherent injustice of an across-the-board proposal—it gives slight help to those in the lower ranks. The same imbalance was part of the last cut in the Federal income tax rates. For those in the lower brackets it meant a negligible saving while for the minority on the top level the amount saved was substantial.

There has been a lot of talk about giving relief to the small taxpayer but so far nothing has come of it. A large proportion of the 2,600,000 men in the Armed Forces of the United States are in this category and, except for approximately 50,000 in Vietnam, they are subject to Federal income tax. Despite pressures to make it so, a specific Bureau of Internal Revenue ruling held that Europe, where most Americans overseas are stationed, is not a combat zone.

As the war in Vietnam has escalated, so have American casualty lists, although they are still comparatively small.

The pay structure of the military, as engineered by Secretary of Defense Robert S. McNamara, is designed to keep career men with career skills in the service. This is proving more and more difficult in competition with private industry that constantly lures away with much higher salaries men trained in electronics and other techniques. Moreover, the McNamara goal was for a peacetime service, and in Vietnam we have a wartime army.

## EXCISE TAXES

Mr. MILLER. Mr. President, the Wall Street Journal of June 4, 1965, contains an article entitled "The Excise Tax; Reform, Not Repeal, Would Best Serve the Nation," written by Harley L. Lutz. The article is timely not only because of the impending passage of excise tax cuts and eliminations, but because of Mr. Lutz' commentary on the inflationary situation in this country.

He points out that certain administration spokesmen have belittled inflation as being nonexistent or relatively unimportant; but he produces figures to demonstrate that since 1960 the increase in our gross national product has consisted 40 percent of inflation. I have been saying that such increase has been 30 percent. While I have used a somewhat different basis than Dr. Lutz uses, I think he points up the fact that, if anything, I have been conservative in my own estimate of 30 percent inflation. If anything, I should be inclined to defer to the judgment of this distinguished writer and economist. I ask unanimous consent that his article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE EXCISE TAX: LUTZ SAYS REFORM, NOT REPEAL, WOULD BEST SERVE THE NATION

(By Harley L. Lutz)

The President's message asking for repeal of certain parts of the Federal excise tax system criticized these taxes in terms that have been stated many times over the years before the congressional tax-writing committees. After the defeat of a broad-based excise tax bill in 1932, the Congress proceeded to throw together a miscellaneous assortment of levies. In World War II the list was extended and during the Korean war some rates were increased. There was neither consistency nor logic in the selection, the rates, or the principles of application. The result was a highly selective array of excise taxes that was grossly discriminatory among both producers and consumers of taxed and exempt articles.

The recommendations call for repeal of specified classes of excise taxes as of July 1, 1965, and of others as of January 1, 1966. The notable omissions are those taxes which are earmarked for the highway fund and the taxes on alcoholic beverages and tobacco products. Under the President's plan the passenger car tax rate would drop to 5 percent by January 1, 1967, but the House this week voted to eliminate this tax by 1969. The telephone tax rate would be reduced, with termination set for 1969. Estimated costs of the highway program are higher and increased taxes to meet the increased cost are asked for, relating to diesel fuel, heavy truck use tax, and tread rubber.

## LAPSE OF LOGIC

A curious lapse of logic crept into the text. Excise tax repeal was defended on the ground, among others, that this would lessen the burden of regressive taxes on low-income families. Yet, in proposing a final tax rate of 5 percent on passenger cars, it is said that this tax would not be regressive. For the average family, a \$2,000 fur coat is vastly less important than a \$2,000 automobile.

The attitude toward long-range Federal tax policy revealed in the message is greatly to be regretted. Repeal of the existing discriminatory excises is a necessary first step toward reform. The next step should be the introduction of a broad excise tax, applicable to virtually all consumer products at a uniform rate. This would end the discrimination and equalize the tax situation for both producers and consumers. The final stage of manufacture would be an appropriate point of collection. This method is now used in the case of taxes on alcoholic beverages, tobacco products, and the extensive category designated as "manufacturers' excises." In the estimates for 1966, almost \$9 billion of excise tax revenue was collectible at the manufacturing level.

The intention, clearly indicated in the message, is repeal, not reform. It is elimination of revenue, not replacement. The effect will be to increase the relative dependence of the Federal budget on the income taxes and to increase budgetary vulnerability to variations in the level of business activity. In the original budget estimate of revenues for fiscal year 1966, the net excise tax yield was 12 percent of total administrative budget receipts. After giving effect to the proposed reductions and the new estimate of total revenues announced in the message, this proportion would drop to 9.2 percent.

It is also said that the deficit for fiscal year 1966, originally estimated at \$5.3 billion, will be lower because of higher receipts and reduced expenditures. These gains would not be enough to eliminate the deficit, even if there were no excise tax repeal. But since repeal is proposed, and this is said to be a matter of careful timing, the obvious

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intention is to maintain a deficit, not to strive for its elimination.

#### REVERSAL OF ATTITUDE

The stock arguments advanced against the present excise system have failed, up to now, to impress either the Ways and Means Committee or the Senate Finance Committee. These arguments have always been countered by the objection that we could not afford the revenue loss involved. Despite this committee record, it now appears that we can afford a revenue loss even greater than the President has proposed. The bill is to be rushed to enactment with unseemly haste. Public hearings are not necessary for both tax committees are fully informed as to the objections to the present excise system. The marvel is that there should be such a sudden, sweeping reversal of attitude. And the pity is that there will be no public hearings on how to reform the excise taxes so as to make them a more equitable and productive feature of the Federal tax system.

The apostles of the new fiscal order appear unworried about the prospect of budget deficits. Yet there is in the message an undercurrent of concern about the current fiscal policy. It is revealed by the emphasis on the beneficial effects of the earlier tax cuts, on the absence of inflation, and on the desirability of providing a further stimulus to the economy through the proposed excise tax changes. The stimulant is to be the addition of the tax reduction to total demand.

The persistence of belief in this theory is amazing in view of the plain logic of the case. As a matter of simple arithmetic, tax changes up or down do not affect total spending power at any given state of the economy. Such changes merely alter the proportions of total income spent by the people and the Government, respectively, without changing the total. Lower taxes do give a lift to morale through the added satisfaction of keeping and using more of the fruits of one's toil or thrift, instead of being compelled to submit to the decisions of Government as to how they shall be spent.

The real source of stimulus to the economy is the additional spending power created by the deficits. Tax reduction, with no cut or even an increase of spending, is a popular way to create a deficit. It is therefore a first step, but not the important one, in the stimulative process.

It is recognized, even by the ardent advocates of deficits, that a point can be reached at which the ice is too thin to bear more weight. They seek consolation for the deficit course by referring to the evidence that inflation has not happened yet.

Consequently, it is appropriate to examine the data which are relied upon to demonstrate absence of inflation. The chief statistical tools employed in this demonstration are the wholesale and consumer price indexes. From the end of 1960 to the end of 1964, a period which embraces most of the 50-month span of uninterrupted business activity, the wholesale index was virtually stationary. The consumer price index rose from 103.1 to 108.7 on the base of 1957-59 prices. The stability of these indexes provides support for the thesis that we have been spared the evils of inflation, notwithstanding aggregate net deficits of \$26.5 billion and a public debt increase of \$28.4 billion in this time.

In another area, however, the evidence is not so reassuring. This is the record of gross national product. The only test of inflation here is a comparison of GNP in current dollars with the value expressed in dollars of constant purchasing power. In the annual Economic Report the dollar purchasing power in 1954 is used as the base. The results for the years 1960 and 1964 are:

Gross national product, in current and 1954 dollars (billions)

Year	Current dollars	1954 dollars
1960.....	502.6	439.9
1964.....	622.3	515.7
Increase.....	119.7	75.8

These figures show that whereas the increase of goods and services produced from 1960 through 1964 was valued at \$119.7 billion in current dollars, the same quantitative increase of output would have been valued at \$75.8 billion if the purchasing power of the dollar had been the same in 1964 as it was in 1954. Since we are dealing with the same quantity of product, the difference between the two measures of increased value, amounting to \$43.9 billion over the period, must be the result of depreciation of the dollar. In other words, some 40 percent of the increase in gross national product since 1960 does not represent greater actual output of goods and services but an inflationary markup of real product.

It is proper to ask at this point why there is so much divergence between the results revealed by the price indexes cited above and those derived from the GNP data. A clue to the explanation is provided by the behavior of the components of GNP. The annual Economic Report regularly translated these components from current dollars into the equivalent in 1954 dollars. The report also provides a table showing, for each component of GNP, the implicit price deflator by which its current dollar value is to be deflated to equal the 1954 value. For 1964 these price deflators are as follows:

Category:	Implicit price deflator
Total GNP.....	120.7
Personal consumption expenditure.....	114.9
Durable goods.....	105.2
Nondurable goods.....	116.6
Services.....	122.7
Gross private domestic investment:	
New construction.....	125.7
Residential nonfarm.....	122.0
Other.....	130.2
Export of goods and services.....	105.6
Imports of goods and services.....	98.2
Government purchases of goods and services.....	138.5
Federal.....	136.0
State and local.....	141.3

These figures suggest that the rise in the cost of services has been an important factor in the inflation of GNP in terms of constant 1954 dollars. The implicit deflators are highest, indicating need for relatively more deflation, for the components in which services are the sole, or a principal, element. Much of the construction industry is labor intensive, while export industries are more likely to be capital intensive. Almost 70 percent of Government purchases of goods and services consist of wage and salary disbursements. Moreover, the proportion of total consumption expenditure devoted to services has risen somewhat in the post-World War II years. The wholesale price index includes commodities only and would not reflect services. The Consumer Price Index does include services, and from December 1960 to November 1964 the index for all services except rent rose by 10.5 index points. This is in marked contrast with the movement of the overall Consumer Price Index.

It seems that we have here an illustration of that inflationary force known as wage-cost-push. The new purchasing power created by the budget deficits has made it possible

for employers, private and public, to comply with the successive rounds of demands for higher pay. This should have led to price increases, but the Government's hostile attitude toward anything more than trivial, spotty price advances has blocked off this course. Productivity gains have thus far enabled efficient operators to absorb the higher wage costs without raising prices. Despite the guidelines for wage increases proposed by the Council of Economic Advisers there is some doubt if wage increases have been held within the suggested limits. The economic report shows that output per man-hour in nonagricultural industries increased at an average rate of 3 percent per year from 1960 through 1964, and that average gross weekly earnings in manufacturing increased at a rate of 4.7 percent annually over the same period.

It is not contended here that the round of tax cut and deficit spending coming up in the excise tax repealer is the one to carry the inflation flood over the dike. The combination of creating new money and sitting on the price lid may hold the opposing forces in equilibrium for some time yet. Eventually the accumulation of inflationary new money will have an expansionary force that cannot be contained by any display of governmental displeasure at price increases.

There may be a short-run advantage in excise tax repeal. The business community and the man in the street are enthusiastically for it. This broad grassroots support seems already to have pressured congressional leaders to go even further than the President has recommended. It can be said, however, without fear of successful contradiction, that the long-run advantage to the Treasury, the business interests, and the people generally, is to be found in reform, not elimination of excise or consumption taxes as a source of Federal revenue.

#### TRAFFIC VIOLATIONS BY DIPLOMATIC PERSONNEL

Mr. CASE. Mr. President, in this morning's press I note a report, under the dateline of New Brunswick, N.J., of a meeting between the director of the New Jersey Turnpike Authority and a representative of the Department of State in regard to a recent practice inaugurated by the New Jersey Turnpike Authority to escort from the turnpike diplomats who are violating the speed laws.

This incident is another illustration of a problem which I think we have not come anywhere near solving. I regard any American who represents this country abroad and who violates the laws of another country as a person who ought not to be continued in the representation of this country abroad. Equally, any foreign diplomat or representative—and it is not always one of high station, but frequently one of lower rank—who comes here and violates the hospitality which this country affords, whether it be parking by a fire hydrant or by blocking another's driveway, and laughing at that person when he is asked to move, to say nothing of the violation of speed laws and other traffic laws which cause hazard to American and other lives on the highways, ought not to be permitted to continue to remain in this country.

I would not try to draw the line too nicely. I would seek to have such persons recalled; likewise, I would recall